

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| ----- X | |
| | : |
| STEPHANIE WEDRA, on behalf of herself and all | : |
| others similarly situated, | : |
| | : |
| Plaintiff, | : |
| | : |
| v. | : |
| | : |
| CREE, INC. | : |
| | : |
| Defendant. | : |
| ----- X | |

Case No.: 19-cv-3162-VB

**DEFENDANT CREE, INC.'S NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Cree Inc.'s Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6); the Declaration of Phil Primato in Support of Defendant Cree Inc.'s Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and the exhibits annexed thereto; the Request for Judicial Notice filed concurrently in support of Defendant Cree Inc.'s Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6); and upon all the papers and proceedings heretofore had herein, Defendant Cree, Inc., by and through its undersigned counsel, hereby moves this Court, before the Honorable Vincent L. Briccetti, United States District Judge for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601-4150, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing Plaintiff's Complaint in its entirety, with prejudice, and granting such other relief as the Court deems just and proper.

Dated: June 14, 2019
New York, New York

Respectfully Submitted,

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Craig A. Convissar

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